

DETAILED ACTION

1. Claims 1-3, 5-13, 15-25, and 27-33 are pending.

Claims 32-33 are new.

Claims 4, 14, and 26 are cancelled.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-3, 5-13, 15-25, and 27-33 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Both the claims and specification originally filed fail to support the new limitation “wherein the privacy preference indicates how much or how little location information is to be shared with the requestor”. Specification [0040-0042 & 0057], merely discloses a user is able to selectively control privacy and disclosure location information but nowhere in the specification came close to describing the privacy preference indicates how much or how little location information is to be shared with the requestor. Therefore, the new limitation “wherein the privacy preference indicates how much or

how little location information is to be shared with the requestor" is new subject matter that was not originally disclosed.

Response to Arguments

3. Applicant's arguments filed 1/2/2009 have been fully considered but they are not persuasive.

Regarding the argument on p.7, that Moles does not teach or suggest the claimed element of "if a privacy preference associated with the requestor has not been specified, requesting a privacy preference associated with the requestor from the user, wherein the privacy preference indicates how much or how little location information is to be shared with the requestor". Firstly, examiner does not find this limitation as originally claimed nor supported in the specification. Secondly, the limitation of how much or how little does not set nor describe a specific amount or quantity and thus is relative from one person/device as to how much or little be to another person/device. Finally, the claim can broadly be read as either how much or how little location information is to be shared and not both. Therefore, how much location information can broadly be given as allowing 1 or more data location and whereas how little can broadly be given as x amount of data location to no data location given depending on the device/system.

Moles discloses the user have the ability to selectively transmit the location of the wireless mobile station to authorized parties (col.2, lines 38-40). Moles also disclose a

method for selectively disabling the transmission of information concerning the location of the wireless mobile station (col.3, lines 40-44). This is the ability to set to transmit or not transmit the location property to a particular requestor(s) which in Moles' instance, is for authorized parties (col.8, lines 37-64). This suggests Moles having the ability to indicate how little or not at all the location information to be shared with the requestor. Moles discusses the claimed privacy preference as the privacy flag where a value that has been set determines whether information of the location of the mobile station is to be transmitted (col.2, line 60 – col.3, line 2 and col.6, lines 56-61). In addition, Moles discloses the privacy flag can selectively set to cause wireless the mobile station to not transmit location information of the mobile station and can set a value of location privacy flag whether location information is to be transmitted (col.6, line 56-col.7, line 5). Thus, Moles requested a privacy preference associated with the requestor from the user which obviously suggested sending location information if the privacy preference associated with the requestor has not been specified otherwise.

However, Moles did not clearly explain the claimed if a privacy preference associated with the requestor has not been specified. As such, a suggestion is not an impermissible hindsight but an obviousness that must be used in combination with another art to provide the obviousness and motivation for a person of ordinary skills in the art at the time the invention was made. Thus, Herz is combined with Moles solves the deficiencies of Moles "if a privacy preference associated with the requestor has not been specified, requesting a privacy preference associated with the requestor from the user".

Regarding the argument on p. 9, that Herz if a privacy preference associated with the requestor has not been specified, requesting a privacy preference associated with the requestor from the user wherein the privacy preference indicates how much or how little location information is to be shared with the requestor. Please refer above with regard to Moles teachings. As for Herz, is capable of associating the privacy preference with the requestor (column 14, lines 13-19) the requestor requesting privacy preference (column 15-16) associated with the requestor and the associated rules with respect to which users or user type may gain access to which information (col.15, lines 30-35). Hence, if a particular user is able to obtain location property, then the privacy or a tag can be set and that requests for the privacy policies of users is enabled/restricted with use of data mining tools suggests a privacy is not specified, then to request the privacy preference (col.15, lines 14-20). This obviously reads on the new limitation of "the privacy preference indicates how much or how little location information is to be shared with the requestor" as similar to Moles invention. Herz is combined with Moles for the motivation and obviousness of the claimed if a privacy preference associated with the requestor has not been specified because access control dictating profile access and reachability of the user may be controlled based upon the profile of the requestor such access control may be used to enable/restrict access (Hertz-col.15, lines 11-46 and col.16, lines 1-7).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5-13, 15-25, and 27-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moles, et al. (US 6,505,048) and further in view of Hertz, et al. (US 6,571,279).

As per claim 1:

Moles disclose a method comprising:

receiving a location request from a requestor for a location associated with a computer device; and (col.2, lines 10-15 and col.6, lines 21-25)

if a privacy preference associated with the requestor has not been specified (col.7, lines 14-18 and col.9, lines 50-53), requesting a privacy preference associated with the requestor from the user (col.6, line 60 – col.7, line 5), wherein the privacy preference indicates how much or how little location information is to be shared with the requestor. (col.7, lines 6-28 and col.8, lines 37-64)

The computer system can broadly be given as a wireless mobile station (col.4, lines 45-54). Moles teach the operator or (authorized) party requesting or receiving the mobile station's location is referring to the claimed requestor for the location of the computer system (col.2, lines 20-22 and 38-40). Moles discloses the user have the ability to selectively transmit the location of the wireless mobile station to authorized

parties (col.2, lines 38-40). Moles also disclose a method fro selectively disabling the transmission of information concerning the location of the wireless mobile station (col.3, lines 40-44). This obviously suggests the ability to set to transmit or not transmit the location property to a particular requestor(s) which in Moles' instance, is for authorized parties (col.8, lines 37-64). Thus, Moles suggests the claimed determining whether a privacy preference associated with the requestor has been specified. Moles discusses the claimed privacy preference as the privacy flag where a value that has been set determines whether information of the location of the mobile station is to be transmitted (col.2, line 60 – col.3, line 2 and col.6, lines 56-61). In addition, Moles discloses the privacy flag can selectively set to cause wireless the mobile station to not transmit location information of the mobile station and can set a value of location privacy flag whether location information is to be transmitted (col.6, line 56-col.7, line 5). Thus, obviously suggested sending location information if the privacy preference associated with the requestor has not been specified otherwise. However, Moles did not clearly explain the claimed requesting a privacy preference associated with the requestor if a privacy preference associated with the requestor has not been specified.

Hertz, et al. teaches the location enhanced information delivery system can improve the user-user automatic matching techniques by notifying users of other users that are located in or near the same vicinity and match the profile conditions as consistent with the privacy policies of users (col.13, lines 30-42). Hertz discloses access control criteria dictating profile access and reachability of the user may be controlled accordingly based upon the profile of the requestor and/or the nature of the

request (col.15, lines 11-36). Hertz includes the ability of queries and tasks requirements in the form of request (col.15, lines 4-6). Access control criteria dictating profile access and reachability of the user and construction of conveniently navigable hierarchical menus (col.14, lines 15-17 and col.15, lines 12-25). Hertz also discloses data mining tools can be used to enable advertisers to identify relevant features and may enter rules that specify how users are to be targeted based on desired criteria (col.16, lines 1-7). Hertz suggests querying and database matching obviously suggests ability for determining if a privacy preference associated with the requestor has been specified or not and to enable or restrict the ability of an explicitly identified user (col.15, lines 16-20). With Hertz suggesting querying with data mining tools and Moles capable of entering a response in response to a question whether location information is to be transmitted. Thus, suggests the ability to request a privacy preference associated with the requestor from the user in response to receiving the request if the privacy preference associated with the requestor has not been specified.

Therefore, it would have been obvious for a person of ordinary skills in the art to combine the teaching of Moles with Hertz to teach if a privacy preference associated with the requestor has not been specified, requesting a privacy preference in response to receiving the request because access control dictating profile access and reachability of the user may be controlled based upon the profile of the requestor such access control may be used to enable/restrict access (Hertz-col.15, lines 11-46 and col.16, lines 1-7).

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As per claim 2: See Moles on col.2, lines 36-39 and col.2, line 66 – col.3, line 2; discussing if a privacy preference associated with the requestor has been specified, applying the specified preference to determine whether to provide the location to the requestor.

As per claim 3: See Moles on col.2, lines 24-26 and 61-63 and col.7, lines 14-18; discussing preventing the location from being provided to the requestor if the privacy preference specifies that the location is to be kept private, and providing the location to the requestor if the privacy preference specifies that the location is to be disclosed to the requestor.

As per claim 4: Cancelled.

As per claim 5: See Moles on col.6, lines 21-24 and Hertz on col.18, lines 52-55; discussing requesting includes providing a pop-up dialog box.

As per claim 6: See Moles on col.6, lines 57-65; discussing providing a pop-up dialog box includes enabling a user to selectively enable and disable privacy for individual location properties.

As per claim 7:

Moles disclose a method comprising:

enabling a user to selectively enable and disable location-aware computing; and
(col.2, lines 34-48)

preventing a location property from being provided to a requestor if the user has disabled location-aware computing; and (col.2, lines 24-26 and 61-63 and col.7, lines 14-18)

if the user has enabled location-aware computing; and **(col.7, lines 5-12 and col.10, lines 37-57**

if a privacy preference associated with the requestor has not been specified **(col.7, lines 14-18 and col.9, lines 50-53)**, requesting a privacy preference associated with the requestor from the user **(col.6, line 60 – col.7, line 5)** for a location property associated with a computing device **(col.2, lines 10-15 and col.6, lines 21-25)**, wherein the privacy preference indicates how much or how little location information is to be shared with the requestor **(col.7, lines 6-28 and col.8, lines 37-64)**

The computer system can broadly be given as a wireless mobile station (col.4, lines 45-54). Moles teach the operator or (authorized) party requesting or receiving the mobile station's location is referring to the claimed requestor for the location of the computer system (col.2, lines 20-22 and 38-40). Moles discloses the user have the ability to selectively transmit the location of the wireless mobile station to authorized parties (col.2, lines 38-40). Moles also disclose a method fro selectively disabling the transmission of information concerning the location of the wireless mobile station (col.3, lines 40-44). This obviously suggests the ability to set to transmit or not transmit the location property to a particular requestor(s) which in Moles' instance, is for authorized parties (col.8, lines 37-64). Thus, Moles suggests the claimed determining whether a privacy preference associated with the requestor has been specified. Moles discusses the claimed privacy preference as the privacy flag where a value that has been set determines whether information of the location of the mobile station is to be transmitted (col.2, line 60 – col.3, line 2 and col.6, lines 56-61). In addition, Moles discloses the

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privacy flag can selectively set to cause wireless the mobile station to not transmit location information of the mobile station and can set a value of location privacy flag whether location information is to be transmitted (col.6, line 56-col.7, line 5). Thus, obviously suggested sending location information if the privacy preference associated with the requestor has not been specified otherwise. However, Moles did not clearly explain the claimed requesting a privacy preference associated with the requestor if a privacy preference associated with the requestor has not been specified.

Hertz, et al. teaches the location enhanced information delivery system can improve the user-user automatic matching techniques by notifying users of other users that are located in or near the same vicinity and match the profile conditions as consistent with the privacy policies of users (col.13, lines 30-42). Hertz discloses access control criteria dictating profile access and reachability of the user may be controlled accordingly based upon the profile of the requestor and/or the nature of the request (col.15, lines 11-36). Hertz includes the ability of queries and tasks requirements in the form of request (col.15, lines 4-6). Access control criteria dictating profile access and reachability of the user and construction of conveniently navigable hierarchical menus (col.14, lines 15-17 and col.15, lines 12-25). Hertz also discloses data mining tools can be used to enable advertisers to identify relevant features and may enter rules that specify how users are to be targeted based on desired criteria (col.16, lines 1-7). Hertz suggests querying and database matching obviously suggests ability for determining if a privacy preference associated with the requestor has been specified or not and to enable or restrict the ability of an explicitly identified user (col.15,

lines 16-20). With Hertz suggesting querying with data mining tools and Moles capable of entering a response in response to a question whether location information is to be transmitted. Thus, suggests the ability to request a privacy preference associated with the requestor from the user in response to receiving the request if the privacy preference associated with the requestor has not been specified.

Therefore, it would have been obvious for a person of ordinary skills in the art to combine the teaching of Moles with Hertz to teach if a privacy preference associated with the requestor has not been specified, requesting a privacy preference in response to receiving the request because access control dictating profile access and reachability of the user may be controlled based upon the profile of the requestor such access control may be used to enable/restrict access (Hertz-col.15, lines 11-46 and col.16, lines 1-7).

As per claim 8: See Moles on col.6, lines 57-61 and col.9, lines 51-60; discusses enabling the user to selectively enable and disable location-aware computing includes providing an option during basic input/output system configuration to enable and disable location-aware computing.

As per claim 9: See Moles on col.2, lines 36-39 and col.2, line 66 – col.3, line 2; discusses setting a location privacy setting bit in response to the user selectively enabling or disabling location-aware computing.

As per claim 10: See Moles on col.2, lines 65-67 and Hertz on col.10, lines 24-35; discusses setting the location privacy setting bit includes setting a bit in BIOS memory.

As per claim 11: See Moles on col.2, lines 10-41 and col.6, lines 57-61; discusses receiving a request for the location property from the requestor, and querying the location privacy setting bit to determine whether location-aware computing is enabled or disabled.

As per claim 12: See Moles on col.9, lines 50-60; discusses setting and querying are performed using Advanced Configuration and Power Interface (ACPI)-based techniques.

As per claim 13:

Moles disclose a machine-accessible medium storing instructions that, when executed by a machine, cause the machine to:

in response to receiving a request from a requestor for a location property, determine whether a privacy preference (**col.2, lines 31-40 and col.2, line 60 – col.3, line 2; *privacy flag***) associated with the requestor has been specified; and (**col.2, lines 10-40 and col.6, lines 21-25**)

if a privacy preference associated with the requestor has been specified, applying the privacy preference to determine whether to provide or withhold the location property; and (**col.7, lines 5-12 and col.10, lines 37-57**)

if a privacy preference associated with the requestor has not been specified (**col.7, lines 14-18 and col.9, lines 50-53**), request that the privacy preference, associated with the requestor from the user (col.6, line 60 – col.7, line 5), wherein the privacy preference indicates how much or how little location information is to be shared with the requestor. (**col.7, lines 6-28 and col.8, lines 37-64**)

The computer system can broadly be given as a wireless mobile station (col.4, lines 45-54). Moles teach the operator or (authorized) party requesting or receiving the mobile station's location is referring to the claimed requestor for the location of the computer system (col.2, lines 20-22 and 38-40). Moles discloses the user have the ability to selectively transmit the location of the wireless mobile station to authorized parties (col.2, lines 38-40). Moles also disclose a method fro selectively disabling the transmission of information concerning the location of the wireless mobile station (col.3, lines 40-44). This obviously suggests the ability to set to transmit or not transmit the location property to a particular requestor(s) which in Moles' instance, is for authorized parties (col.8, lines 37-64). Thus, Moles suggests the claimed determining whether a privacy preference associated with the requestor has been specified. Moles discusses the claimed privacy preference as the privacy flag where a value that has been set determines whether information of the location of the mobile station is to be transmitted (col.2, line 60 – col.3, line 2 and col.6, lines 56-61). In addition, Moles discloses the privacy flag can selectively set to cause wireless the mobile station to not transmit location information of the mobile station and can set a value of location privacy flag whether location information is to be transmitted (col.6, line 56-col.7, line 5). Thus, obviously suggested sending location information if the privacy preference associated with the requestor has not been specified otherwise. However, Moles did not clearly explain the claimed requesting a privacy preference associated with the requestor if a privacy preference associated with the requestor has not been specified.

Hertz, et al. teaches the location enhanced information delivery system can improve the user-user automatic matching techniques by notifying users of other users that are located in or near the same vicinity and match the profile conditions as consistent with the privacy policies of users (col.13, lines 30-42). Hertz discloses access control criteria dictating profile access and reachability of the user may be controlled accordingly based upon the profile of the requestor and/or the nature of the request (col.15, lines 11-36). Hertz includes the ability of queries and tasks requirements in the form of request (col.15, lines 4-6). Access control criteria dictating profile access and reachability of the user and construction of conveniently navigable hierarchical menus (col.14, lines 15-17 and col.15, lines 12-25). Hertz also discloses data mining tools can be used to enable advertisers to identify relevant features and may enter rules that specify how users are to be targeted based on desired criteria (col.16, lines 1-7). Hertz suggests querying and database matching obviously suggests ability for determining if a privacy preference associated with the requestor has been specified or not and to enable or restrict the ability of an explicitly identified user (col.15, lines 16-20). With Hertz suggesting querying with data mining tools and Moles capable of entering a response in response to a question whether location information is to be transmitted. Thus, suggests the ability to request a privacy preference associated with the requestor from the user in response to receiving the request if the privacy preference associated with the requestor has not been specified.

Therefore, it would have been obvious for a person of ordinary skills in the art to combine the teaching of Moles with Hertz to teach if a privacy preference associated

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with the requestor has not been specified, requesting a privacy preference in response to receiving the request because access control dictating profile access and reachability of the user may be controlled based upon the profile of the requestor such access control may be used to enable/restrict access (Hertz-col.15, lines 11-46 and col.16, lines 1-7).

As per claim 14: Cancelled.

As per claim 15: See Moles on col.6, lines 21-24 and Hertz on col.18, lines 52-55; discloses provide a pop-up dialog box to request the privacy preference.

As per claim 16: See Moles on col.2, line 66 – col.3, line 2; discloses determine whether the machine is enabled for location-aware computing.

As per claim 17: See Moles on col.7, lines 14-45 and Hertz on col.13, lines 24-46 and col.15, lines 3-45; discloses if the machine is not enabled for location-aware computing, preventing the machine from providing the requested location property regardless of whether the privacy preference has been specified and, if specified, regardless of the contents of the privacy preference.

As per claim 18:

Moles disclose a method comprising:

in response to receiving a request for a location property from a requestor, determining whether a computing device is enabled for location-aware computing; (col.2, lines 10-40 and col.6, lines 21-25)

if the computing device is enabled for location-aware computing, determining whether a privacy preference associated with the requestor has been specified; **(col.2, line 60 – col.3, line 2)**

if the privacy preference associated with the requestor has been specified, applying the privacy preference to determine whether to provide the location property; and **(col.7, lines 5-12 and col.10, lines 37-57)**

if the privacy preference associated with the requestor has not been specified **(col.7, lines 14-18 and col.9, lines 50-53)**, requesting the privacy preference associated with the requestor **(col.6, line 60 – col.7, line 5)**, wherein the privacy preference indicates how much or how little location information is to be shared with the requestor. **(col.7, lines 6-28 and col.8, lines 37-64)**

The computer system can broadly be given as a wireless mobile station (col.4, lines 45-54). Moles teach the operator or (authorized) party requesting or receiving the mobile station's location is referring to the claimed requestor for the location of the computer system (col.2, lines 20-22 and 38-40). Moles discloses the user have the ability to selectively transmit the location of the wireless mobile station to authorized parties (col.2, lines 38-40). Moles also disclose a method fro selectively disabling the transmission of information concerning the location of the wireless mobile station (col.3, lines 40-44). This obviously suggests the ability to set to transmit or not transmit the location property to a particular requestor(s) which in Moles' instance, is for authorized parties (col.8, lines 37-64). Thus, Moles suggests the claimed determining whether a privacy preference associated with the requestor has been specified. Moles discusses

the claimed privacy preference as the privacy flag where a value that has been set determines whether information of the location of the mobile station is to be transmitted (col.2, line 60 – col.3, line 2 and col.6, lines 56-61). In addition, Moles discloses the privacy flag can selectively set to cause wireless the mobile station to not transmit location information of the mobile station and can set a value of location privacy flag whether location information is to be transmitted (col.6, line 56-col.7, line 5). Thus, obviously suggested sending location information if the privacy preference associated with the requestor has not been specified otherwise. However, Moles did not clearly explain the claimed requesting a privacy preference associated with the requestor if a privacy preference associated with the requestor has not been specified.

Hertz, et al. teaches the location enhanced information delivery system can improve the user-user automatic matching techniques by notifying users of other users that are located in or near the same vicinity and match the profile conditions as consistent with the privacy policies of users (col.13, lines 30-42). Hertz discloses access control criteria dictating profile access and reachability of the user may be controlled accordingly based upon the profile of the requestor and/or the nature of the request (col.15, lines 11-36). Hertz includes the ability of queries and tasks requirements in the form of request (col.15, lines 4-6). Access control criteria dictating profile access and reachability of the user and construction of conveniently navigable hierarchical menus (col.14, lines 15-17 and col.15, lines 12-25). Hertz also discloses data mining tools can be used to enable advertisers to identify relevant features and may enter rules that specify how users are to be targeted based on desired criteria

(col.16, lines 1-7). Hertz suggests querying and database matching obviously suggests ability for determining if a privacy preference associated with the requestor has been specified or not and to enable or restrict the ability of an explicitly identified user (col.15, lines 16-20). With Hertz suggesting querying with data mining tools and Moles capable of entering a response in response to a question whether location information is to be transmitted. Thus, suggests the ability to request a privacy preference associated with the requestor from the user in response to receiving the request if the privacy preference associated with the requestor has not been specified.

Therefore, it would have been obvious for a person of ordinary skills in the art to combine the teaching of Moles with Hertz to teach if a privacy preference associated with the requestor has not been specified, requesting a privacy preference in response to receiving the request because access control dictating profile access and reachability of the user may be controlled based upon the profile of the requestor such access control may be used to enable/restrict access (Hertz-col.15, lines 11-46 and col.16, lines 1-7).

As per claim 19: See Moles on col.6, lines 21-24 and Hertz on col.18, lines 52-55; discloses requesting the privacy preference comprises providing a pop-up dialog box.

As per claim 20: See Moles on col.2, lines 65-67 and Hertz on col.10, lines 24-35; discloses determining whether a computing device is enabled for location-aware computing comprises determining a value stored in a location privacy setting in basic input/output system (BIOS) memory.

As per claim 21: See Moles on col.6, lines 56-57; discloses enabling a user to enable and disable location-aware computing through a BIOS configuration routine.

As per claim 22: See Moles on col.9, lines 9-34 and 50-60; discloses using WMI/ACPI instrumentation techniques to set and determine the value stored in the location privacy setting.

As per claim 23:

Moles disclose a system comprising:

- a bus to communicate information; (**col.5, lines 21-22**)

- a processor coupled to the bus; (**col.4, lines 51-57**)

- a memory coupled to the bus to store information; (**col.2, lines 65-66**)

- an antenna coupled to the bus to receive a signal to indicate a location of the system; and (**col.2, lines 5-15**)

- a machine-accessible storage medium storing instructions that, when executed by the processor, cause the system to:

- in response to receiving a request for a location property associated with the system from a requestor (**col.2, lines 10-15 and col.6, lines 21-25**), determine whether a privacy preference associated with the requestor has been specified; and (**col.2, lines 31-40 and col.2, line 64 – col.3, line 2; *privacy flag***)

- if a privacy preference has been specified, apply the privacy preference to determine whether to provide the requested location property; (**col.7, lines 5-12 and col.10, lines 37-57**)

if a privacy preference associated with the requestor has not been specified (col.7, lines 14-18 and col.9, lines 50-53), request that the privacy preference be specified (col.6, line 60 – col.7, line 5), wherein the privacy preference indicates how much or how little location information is to be shared with the requestor. (col.7, lines 6-28 and col.8, lines 37-64)

The computer system can broadly be given as a wireless mobile station (col.4, lines 45-54). Moles teach the operator or (authorized) party requesting or receiving the mobile station's location is referring to the claimed requestor for the location of the computer system (col.2, lines 20-22 and 38-40). Moles discloses the user have the ability to selectively transmit the location of the wireless mobile station to authorized parties (col.2, lines 38-40). Moles also disclose a method for selectively disabling the transmission of information concerning the location of the wireless mobile station (col.3, lines 40-44). This obviously suggests the ability to set to transmit or not transmit the location property to a particular requestor(s) which in Moles' instance, is for authorized parties (col.8, lines 37-64). Thus, Moles suggests the claimed determining whether a privacy preference associated with the requestor has been specified. Moles discusses the claimed privacy preference as the privacy flag where a value that has been set determines whether information of the location of the mobile station is to be transmitted (col.2, line 60 – col.3, line 2 and col.6, lines 56-61). In addition, Moles discloses the privacy flag can selectively set to cause wireless the mobile station to not transmit location information of the mobile station and can set a value of location privacy flag whether location information is to be transmitted (col.6, line 56-col.7, line 5). Thus,

obviously suggested sending location information if the privacy preference associated with the requestor has not been specified otherwise. However, Moles did not clearly explain the claimed requesting a privacy preference associated with the requestor if a privacy preference associated with the requestor has not been specified.

Hertz, et al. teaches the location enhanced information delivery system can improve the user-user automatic matching techniques by notifying users of other users that are located in or near the same vicinity and match the profile conditions as consistent with the privacy policies of users (col.13, lines 30-42). Hertz discloses access control criteria dictating profile access and reachability of the user may be controlled accordingly based upon the profile of the requestor and/or the nature of the request (col.15, lines 11-36). Hertz includes the ability of queries and tasks requirements in the form of request (col.15, lines 4-6). Access control criteria dictating profile access and reachability of the user and construction of conveniently navigable hierarchical menus (col.14, lines 15-17 and col.15, lines 12-25). Hertz also discloses data mining tools can be used to enable advertisers to identify relevant features and may enter rules that specify how users are to be targeted based on desired criteria (col.16, lines 1-7). Hertz suggests querying and database matching obviously suggests ability for determining if a privacy preference associated with the requestor has been specified or not and to enable or restrict the ability of an explicitly identified user (col.15, lines 16-20). With Hertz suggesting querying with data mining tools and Moles capable of entering a response in response to a question whether location information is to be transmitted. Thus, suggests the ability to request a privacy preference associated with

the requestor from the user in response to receiving the request if the privacy preference associated with the requestor has not been specified.

Therefore, it would have been obvious for a person of ordinary skills in the art to combine the teaching of Moles with Hertz to teach if a privacy preference associated with the requestor has not been specified, requesting a privacy preference in response to receiving the request because access control dictating profile access and reachability of the user may be controlled based upon the profile of the requestor such access control may be used to enable/restrict access (Hertz-col.15, lines 11-46 and col.16, lines 1-7).

As per claim 24: See Moles on col.2, line 66 – col.3, line 2; discloses the machine-accessible storage medium further stores instructions that, when executed by the processor, cause the system to determine whether the system is enabled for location-aware computing.

As per claim 25: See Moles on col.2, lines 65-67 and Hertz on col.10, lines 24-35; discloses the memory includes a basic input/output system (BIOS) memory and wherein determining whether the system is enabled for location-aware computing includes determining a value stored in a location in the BIOS memory.

As per claim 26: See Moles on col.7, lines 14-45 and Hertz on col.13, lines 24-46 and col.15, lines 3-45; discloses storing instructions that, when executed by the processor, cause the system to request the privacy preference associated with the requestor if it is determined that the privacy preference associated with the requestor has not been specified.

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As per claim 27: See Moles on col.6, lines 21-24 and Hertz on col.18, lines 52-55; discloses requesting the privacy preference includes providing a pop-up dialog box.

As per claim 28: See Moles on col.4, lines 45-65; discloses the requestor is one of a client application and a location-based service.

As per claim 29:

Moles disclose a method comprising:

receiving a query requesting one or more location properties; **(col.2, lines 10-15 and col.6, lines 8-25)**

determining if location aware computing is enabled; **(col.6, lines 56-60)**

if the location aware computing is enabled, then determining whether user privacy preferences have been specified; **(col.2, line 60 – col.3, line 2; *privacy flag*)**

if user privacy preferences have not been specified, requesting user privacy preferences associated with each of the one or more location properties requested **(col.6, lines 57-67 and col.9, lines 50-53)**, wherein the privacy preference indicates how much or how little location information is to be shared with the requestor; **(col.7, lines 6-28 and col.8, lines 37-64)**

determining whether privacy is indicated for each of the requested one or more location properties; **(col.9, line 50 - col.10, line 5)**

for any of the requested one or more location properties in which privacy is not indicated, obtaining the requested one or more location properties and

sending the requested one or more location properties; and **(col.7, lines 14-18 and col.9, lines 50-53)**

for any of the requested one or more location properties in which privacy is indicated, blocking the requested one or more location properties for which privacy is indicated. **(col.7, lines 5-12 and col.10, lines 37-57)**

The computer system can broadly be given as a wireless mobile station (col.4, lines 45-54). Moles teach the operator or (authorized) party requesting or receiving the mobile station's location is referring to the claimed requestor for the location of the computer system (col.2, lines 20-22 and 38-40). Moles discloses the user have the ability to selectively transmit the location of the wireless mobile station to authorized parties (col.2, lines 38-40). Moles also disclose a method fro selectively disabling the transmission of information concerning the location of the wireless mobile station (col.3, lines 40-44). This obviously suggests the ability to set to transmit or not transmit the location property to a particular requestor(s) which in Moles' instance, is for authorized parties (col.8, lines 37-64). Thus, Moles suggests the claimed determining whether a privacy preference associated with the requestor has been specified. Moles discusses the claimed privacy preference as the privacy flag where a value that has been set determines whether information of the location of the mobile station is to be transmitted (col.2, line 60 – col.3, line 2 and col.6, lines 56-61). In addition, Moles discloses the privacy flag can selectively set to cause wireless the mobile station to not transmit location information of the mobile station and can set a value of location privacy flag whether location information is to be transmitted (col.6, line 56-col.7, line 5). Thus,

obviously suggested sending location information if the privacy preference associated with the requestor has not been specified otherwise. However, Moles did not clearly explain the claimed requesting a privacy preference associated with the requestor if a privacy preference associated with the requestor has not been specified.

Hertz, et al. teaches the location enhanced information delivery system can improve the user-user automatic matching techniques by notifying users of other users that are located in or near the same vicinity and match the profile conditions as consistent with the privacy policies of users (col.13, lines 30-42). Hertz discloses access control criteria dictating profile access and reachability of the user may be controlled accordingly based upon the profile of the requestor and/or the nature of the request (col.15, lines 11-36). Hertz includes the ability of queries and tasks requirements in the form of request (col.15, lines 4-6). Access control criteria dictating profile access and reachability of the user and construction of conveniently navigable hierarchical menus (col.14, lines 15-17 and col.15, lines 12-25). Hertz also discloses data mining tools can be used to enable advertisers to identify relevant features and may enter rules that specify how users are to be targeted based on desired criteria (col.16, lines 1-7). Hertz suggests querying and database matching obviously suggests ability for determining if a privacy preference associated with the requestor has been specified or not and to enable or restrict the ability of an explicitly identified user (col.15, lines 16-20). With Hertz suggesting querying with data mining tools and Moles capable of entering a response in response to a question whether location information is to be transmitted. Thus, suggests the ability to request a privacy preference associated with

the requestor from the user in response to receiving the request if the privacy preference associated with the requestor has not been specified.

Therefore, it would have been obvious for a person of ordinary skills in the art to combine the teaching of Moles with Hertz to teach if a privacy preference associated with the requestor has not been specified, requesting a privacy preference in response to receiving the request because access control dictating profile access and reachability of the user may be controlled based upon the profile of the requestor such access control may be used to enable/restrict access (Hertz-col.15, lines 11-46 and col.16, lines 1-7).

As per claim 30: See Moles on col.6, lines 21-24 and Hertz on col.18, lines 52-55; discloses the method of claim 29, wherein requesting user privacy preferences associated with each of the one or more location properties includes providing a pop-up dialog box.

As per claim 31: See Moles on col.9, lines 50-53 and col.10, lines 37-57 and Hertz on col.18, lines 52-55; discloses the method of claim 30, wherein providing a pop-up dialog box includes enabling a user to selectively enable and disable privacy preferences for each individual location property.

As per claim 32 (new): See Moles on col.3, lines 30-34 and col.8, lines 37-64 and Hertz on col.15, lines 14-35; discloses the method of claim 1, wherein a privacy menu allows the user to select the privacy preference for the requestor.

As per claim 33 (new): See Moles on col.6, lines 8-20 and col.7, lines 6-28; discloses the method of claim 32, wherein a privacy menu comprises location properties, the location properties including at least one of latitude, longitude, altitude, street address, city, state, postal code, and/or country, and wherein the user may select one, more than one, or none of the location properties for the privacy preference of the requestor.

Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leynna T. Truvan whose telephone number is (571)

272-3851. The examiner can normally be reached on Monday - Thursday (7:00 - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/L. T. T./
Examiner, Art Unit 2435
/Kimyen Vu/
Supervisory Patent Examiner, Art Unit 2435